

### **REMARKS**

The Office Action in the above-identified application has been carefully considered and this amendment has been presented to place this application in condition for allowance.

Accordingly, reexamination and reconsideration of this application are respectfully requested.

Claims 1-3 and 5-7 are in the present application. It is submitted that these claims, are patentably distinct over the prior art cited by the Examiner, and that these claims are in full compliance with the requirements of 35 U.S.C. § 112. Changes to the claims, as presented herein, are not made for the purpose of patentability within the meaning of 35 U.S.C. sections 101, 102, 103 or 112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 1-3 and 5-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Agrawal et al. (U.S. Patent 6,363,108) in view of Fukasawa et al. (U.S. Patent 5,920,591). However, the present claims now recite “wherein said matched filter has m shift registers; and wherein said certain first period is the time interval generated by m shift times.” (Claim 1) The shift registers of the matched filter are shown in Figure 9. The shift registers are used in “advancing a phase of said spread code every a certain first period.” Applicants respectfully assert that neither Agrawal nor Fukasawa discloses an equivalent to the present invention’s “first period” as generated by the shift times of the registers. Accordingly, Agrawal and Fukasawa fail to meet this limitation and the rejected claims should now be allowed.

In view of the foregoing amendment and remarks, it is respectfully submitted that the application as now presented is in condition for allowance. Early and favorable reconsideration of the application are respectfully requested.

An extension of time fee is deemed to be required for the filing of this amendment. No additional fees are anticipated, but if such are required, the Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 50-0320.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below. The Examiner's consideration of this matter is gratefully acknowledged.

Respectfully submitted,  
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